

## REMARKS

Applicants respectfully request that the above-identified application be reexamined.

Claims 1-43 are pending in this application. The Office Action mailed February 21, 2008 (hereinafter "Office Action"), rejected Claims 1-43 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,272,660, issued to Powers et al. (hereinafter "Powers"). While applicants respectfully disagree, in order to advance the prosecution of the present application, independent Claims 1, 9, 17, 25, and 37 have been amended. Claims 7, 8, 16, 23, 24, 34, 36, and 41 have been canceled.

Pursuant to 37 C.F.R. § 1.111 and for the reasons set forth below, applicants respectfully request reconsideration and allowance of the pending claims. Prior to discussing in detail why applicants believe that all the claims in this application are allowable, a brief description of the disclosed subject matter and brief descriptions of the teachings of the cited and applied references are provided. The following discussions of the disclosed subject matter and the cited and applied references are not provided to define the scope or interpretation of any of the claims of this application. Instead, these discussions are provided solely to assist the United States Patent and Trademark Office in recognizing the differences between the pending claims and the cited references, and should not be construed as limiting on the disclosed subject matter.

### Disclosed Subject Matter

A system and method for public consumption of communication events between arbitrary processes is disclosed. Mechanisms are provided by which the system can effectively act to broker a user's communications and thus act as a type of automated assistant. More specifically, disclosed is a notification user context system that determines when it is appropriate or not appropriate to interrupt a user with a notification based on the user's context (i.e., availability to interruption). The system provides for processes to be informed when these notification events

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are occurring, thus allowing the processes to act on these types of events on the user's behalf. A calendaring program may be a type of process that is registered to be informed when communication events occur. When the calendaring program is informed that a notification from another program (e.g., e-mail, instant messaging, etc.) has been refused due to the user being busy, the calendaring program may evaluate the sender, and if appropriate respond with a customized busy announcement that indicates a time when the user may next be available.

U.S. Patent No. 7,272,660 ("Powers")

Powers purportedly describes a method of optimizing the delivery of a set of data elements to a device, the set of data elements further comprising a metadata portion. The method further includes determining a source of each element of the set of data elements, and creating a set of rules for transforming the set of data elements from a first representation to a second representation, based in part on the metadata. The method further includes transferring the set of data elements from the source to a first computer, transforming the set of data elements, based in part on the set of rules, and delivering the second representation to the device. Thereafter, the method includes monitoring the source for a change to the set of data elements.

Powers fails to teach, disclose, or suggest evaluating the sender of the notification to determine if a customized message will be sent to the sender, the evaluation of the sender comprising a determination of whether or not the sender has been placed on a list of persons entitled to receive the customized message.

Rejection of Claims 1-43 Under 35 U.S.C. § 102(e)

As stated above, Claims 1-43 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,272,660, issued to Powers et al.

Claim 1, as amended, reads as follows:

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A method for registering a process in a system where communication events occur that are related to notifications, the method comprising:

receiving a message to register a process for communication events,

in response to receiving the message, registering the process; **and when the communication event occurs, evaluating a sender according to selected criteria to determine whether the registered process will send a customized message to the sender, wherein the evaluation of the sender comprises a determination of whether or not the sender has been placed on a list of persons entitled to receive the customized message.** (Emphasis added.)

Applicants respectfully submit that Claim 1, as amended, is not anticipated by Powers. Specifically, Powers fails to teach, disclose, or suggest the recitation of Claim 1 marked in bold.

The "evaluating a sender according to selected criteria to determine whether the registered process will send a customized message to the sender" part of the above recitation was previously recited in former dependent Claim 7, which has been canceled and whose subject matter added to Claim 1. The Office Action asserts that Powers teaches this recitation at Col. 13, lines 23-28.

The text of Powers referenced in the Office Action reads as follows:

User manager 811 manages user profile information. Users create profiles based on rules, in which they describe events of which they want to be notified. Should such an event occur, user manager 811 notifies message center 272, which in turn contacts the user. Furthermore, user manager 811 selects alternative recipients, if the primary recipient is unavailable, based on user preference and availability status. For instance, user #1 has configured user manager 811 for notification of a specific event, for example a temperature change beyond a certain range. Furthermore, user #1 also wants user #2 to be notified should user #1 be unavailable.

As is evident from the referenced text and the example provided, Powers' user profiles do not evaluate a **sender**, as recited in amended Claim 1. Instead, Powers' user-created profiles evaluate **events** and select those that users want to be notified about. Therefore, the "evaluating

a sender according to selected criteria" recitation of Claim 1 is not disclosed or suggested by Powers.

The sender evaluation determination recitation of amended Claim 1 is also not taught, disclosed, or suggested by Powers. More specifically, the "evaluation of the sender comprises a determination of whether or not the sender has been placed on a list of persons entitled to receive the customized message" recitation of amended Claim 1 was previously recited in former dependent Claim 8, which has been canceled and whose subject matter added to Claim 1, albeit in a different form (the "entitled to receive the customized message" recitation has been added). The Office Action referenced the portion of Powers quoted above in regard to this recitation. However, as is clear from the referenced text, Powers fails to teach, disclose, or suggest a list of persons entitled to receive the customized message because Powers' user profiles are configured to evaluate events, not senders. Lists of senders created by a user are simply not mentioned in the referenced text or elsewhere in Powers as far as applicants have been able to determine.

At least for the reasons set forth above, Powers fails to teach, disclose, or suggest all of the recitations of Claim 1, as amended. As a result, Claim 1, as amended, is submitted to be allowable over Powers.

Because independent Claims 9, 17, 25, and 37 have been amended with subject matter similar to, and in a manner similar to Claim 1, they are submitted to be allowable for at least the same reasons as Claim 1.

Because Claims 2-6 depend directly or indirectly from Claim 1, Claims 10-15 depend directly or indirectly from Claim 9, Claims 18-22 depend directly or indirectly from Claim 17, Claims 26-33 and 35 depend directly or indirectly from Claim 25, and Claims 38-40, 42, and 43 depend directly or indirectly from Claim 37, these claims are submitted to be allowable for at least the same reasons as Claims 1, 9, 17, 25, and 37 are submitted to be allowable.

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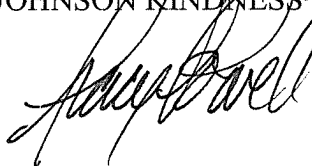
Since Claims 7, 8, 16, 23, 24, 34, 36, and 41 have been canceled, they will not be discussed.

CONCLUSION

In view of the above amendments and remarks, applicants respectfully submit that the present application is in condition for allowance. Reconsideration and reexamination of the application and allowance of the claims at an early date are respectfully solicited. If the Examiner has any questions or comments concerning the foregoing response, the Examiner is invited to contact the applicants' undersigned attorney at the number below.

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